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10/817,401	04/02/2004	Heikki Huomo	042933/274569	2883

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EXAMINER	
RAMPURIA, SHARAD K	
ART UNIT	**PAPER NUMBER**
2617	

DATE MAILED: 06/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/817,401	HUOMO ET AL.	
	Examiner	Art Unit	
	Sharad Rampuria	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 March 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15,17-34,36-48,50-59,61 and 62* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15,17-34,36-48,50-59,61 and 62* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

I. The Art Unit location of this application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

II. The current office-action is in response to the amendments/remarks filed on 03/29/2006.

Accordingly, Claims 16, 35, 49, 60 are cancelled and Claims 1-15, 17-34, 36-48, 50-59 and 61-62 are pending for further examination as follows:

Claim Rejections - 35 USC § 102

III. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

IV. Claims 1-15, 17-34, 36-48, 50-59 and 61-62 are rejected under 35 U.S.C. 102 (e) as being anticipated by Nykanen et al. [US 20020173295].

As per claim 1, Nykanen teaches:

A mobile station for managing context-related information (Abstract, Pg.1; 0007, Pg.7; 0119), wherein the mobile station comprises:

A context engine capable of storing context-related information based upon at least a portion of at least one condition; (Pg.8; 0124-0127)

Wherein the context engine is also capable of managing an exchange of the context-related information with at least one context consumer; (Pg.8; 0128-0130)

A communication manager capable of communicating with at least one context consumer for the exchange of context-related information, at least one context consumer being located external to the mobile station; (Pg.8; 0131) and

A script engine capable of executing at least a portion of at least one context rule relating to at least a portion of the context-related information, wherein the at least one context rule is capable of comprising at least a portion of at least one condition, and wherein the script engine is capable of executing at least one context rule when the respective portion of the at least one condition is satisfied. (Pg.10; 0154, Pg.8; 0132, Pg.5; 0093, Pg.2; 0021)

As per claim 2, Nykanen teaches:

A mobile station according to claim 1, wherein the context engine comprises:

A blackboard capable of storing the context-related information; (Pg.8; 0124-0125) and

A subscription manager capable of providing at least one subscription to at least a portion of the context-related information to at least one context consumer. (140; Fig. 2A, Pg.8; 0124)

As per claim 3, Nykanen teaches:

A mobile station according to claim 2, wherein the context-related information is capable of being at least one of retrieved from and stored by the blackboard. (Pg.8; 0124-0125)

As per claim 4, Nykanen teaches:

A mobile station according to claim 1, wherein the context-related information is stored as at least one context atom that comprises at least a name and an associated value. (Pg.8; 0124-0125)

As per claim 5, Nykanen teaches:

A mobile station according to claim 4, wherein the at least one context atom further comprises at least one of a timestamp, a source identifier, a reliability of the respective value, and an accuracy of the respective value. (Pg.8; 0132)

As per claim 6, Nykanen teaches:

A mobile station according to claim 5, wherein at least a portion of the context-related information is based upon at least one of a timestamp, a source identifier, a reliability of the respective value, and an accuracy of the respective value. (Pg.8; 0132)

As per claim 7, Nykanen teaches:

A mobile station according to claim 1 further comprising: a subscription manager capable of permitting at least one context consumer to subscribe to at least one event regarding at least a portion of the context-related information. (Pg.8; 0120, 0124)

As per claim 8, Nykanen teaches:

A mobile station according to claim 1, wherein the context engine is capable storing context-related information from at least one context producer, and wherein the at least one context producer comprises at least one of an application internal to the mobile station, an application external to the mobile station and a user of the mobile station. (Pg.8; 0132)

As per claim 9, Nykanen teaches:

A mobile station according to claim 1 further comprising: at least one sensor capable of measuring at least a portion of at least one condition of at least one of the mobile station and a user of the mobile station. (Pg.7; 0116-0117)

As per claim 10, Nykanen teaches:

A mobile station according to claim 9, wherein the at least one sensor is further capable of processing the portion of the at least one condition into context-related information. (Pg.7; 0116-0117)

As per claim 11, Nykanen teaches:

A mobile station according to claim 1 further comprising: a privacy engine capable of providing at least a portion of at least one of security and privacy to the exchange of the context-related information. (Pg.9; 0134)

As per claim 12, Nykanen teaches:

A mobile station according to claim 11, wherein the privacy engine is capable of operating in accordance with at least one rule to one of grant and deny permission to exchange context-related information with at least one context consumer. (Pg.8; 0130, Pg.9; 0134)

As per claim 13, Nykanen teaches:

A mobile station according to claim 1, wherein the communication manager is capable of managing connectivity with at least one context producer for the exchange of context-related information, and wherein the communication manager is further capable of abstracting at least one communication technology such that the context engine is capable of operating independent of the at least one communication technology. (Pg.10; 0153)

As per claim 14, Nykanen teaches:

A mobile station according to claim 1, wherein the context engine is capable of transmitting at least a portion of the context-related information to at least one context consumer external to the mobile station such that the at least one context consumer is capable of determining a context of the mobile station based upon the transmitted portion of the context-related information. (Pg.9; 0133)

As per claim 15, Nykanen teaches:

A mobile station according to claim 1, wherein the context engine is capable of communicating with at least one external device according to a context exchange protocol that defines a format in which the context-related information is at least one of transmitted and received. (Pg.10; 0154)

As per claim 17, Nykanen teaches:

A mobile station according to claim 1, wherein the at least one context rule is also capable of including at least one action to be performed when the respective portion of the at least one condition is satisfied. (Pg.10; 0154)

As per claim 18, Nykanen teaches:

A mobile station according to claim 17, wherein a context consumer comprises an application for monitoring a health of a user of the mobile station, wherein at least one context rule relates to the health of the user, and wherein the respective at least one context rule comprises at least a portion of at least one condition relating to the health of the user, and an alert to be issued when the respective portion of the at least one condition is satisfied. (Pg.7; 0115, 0117)

As per claim 19, Nykanen teaches:

A mobile station according to claim 1 further comprising: at least one application program interface capable of facilitating at least one of the transmission and reception of context-related information. (Pg.10; 0154)

As per claim 20, Nykanen teaches:

A communications system (Abstract, Pg.1; 0007, Pg.7; 0119) comprising:

At least one context producer capable of creating context-related information; (Pg.5; 0092-0094)

At least one context consumer capable of determining a context based upon the context-related information; (Pg.8; 0128-0130) and

A mobile station capable of storing context-related information created by the at least one context producer, wherein the mobile station is also capable of managing an exchange of the context-related information between the at least one context producer and the at least one context consumer. (Pg.5; 0092-0094)

Wherein the mobile station comprises a script engine capable of executing at least a portion of at least one context rule relating to at least a portion of the context-related information, wherein the at least one context rule is capable of comprising at least a portion of at least one condition, and wherein the script engine is capable of executing at least one context rule when the respective portion of the at least one condition is satisfied. (Pg.5; 0093, Pg.8; 0132, Pg.10; 0154, Pg.2; 0021)

As per claim 21, Nykanen teaches:

A communications system according to claim 20, wherein the mobile station comprises a context engine capable of storing the context-related information, and providing at least one subscription to at least a portion of the context-related information to the at least one context

consumer. (Pg.8; 0128-0130)

As per claim 22, Nykanen teaches:

A communications system according to claim 21, wherein the context-related information is capable of being at least one of retrieved from and stored by the context engine. (Pg.8; 0128-0130)

As per claim 23, Nykanen teaches:

A communications system according to claim 20, wherein the mobile station is capable of storing context-related information as at least one context atom that comprises at least a name and an associated value. (Pg.8; 0125)

As per claim 24, Nykanen teaches:

A communications system according to claim 23, wherein the mobile station is capable of storing context-related information as at least one context atom that further comprises at least one of a timestamp, a source identifier, a reliability of the respective value, and an accuracy of the respective value. (Pg.8; 0132)

As per claim 25, Nykanen teaches:

A communications system according to claim 24, wherein at least a portion of the context-related information is based upon at least one of a timestamp, a source identifier, a reliability of the respective value, and an accuracy of the respective value. (Pg.8; 0132)

As per claim 26, Nykanen teaches:

A communications system according to claim 20, wherein the mobile station comprises a subscription manager capable of permitting at least one context consumer to subscribe to at least one event regarding at least a portion of the context-related information. (Pg.8; 0133)

As per claim 27, Nykanen teaches:

A communications system according to claim 20, wherein the at least one context producer comprises at least one of an application internal to the mobile station, an application external to the mobile station and a user of the mobile station. (Pg.7; 0117-0118, Pg.8; 0131)

As per claim 28, Nykanen teaches:

A communications system according to claim 20, wherein the at least one context producer comprises at least one sensor capable of measuring at least a portion of at least one condition of at least one of the mobile station and a user of the mobile station. (Pg.7; 0117-0118, Pg.8; 0131)

As per claim 29, Nykanen teaches:

A communications system according to claim 28, wherein the at least one sensor is further capable of processing the portion of the at least one condition into context-related information. (Pg.7; 0117-0118, Pg.8; 0131)

As per claim 30, Nykanen teaches:

A communications system according to claim 20, wherein the mobile station comprises a privacy engine capable of providing at least a portion of at least one of security and privacy to the exchange of the context-related information. (Pg.5; 0098)

As per claim 31, Nykanen teaches:

A communications system according to claim 30, wherein the privacy engine is capable of operating in accordance with at least one rule to one of grant and deny permission to exchange context-related information with the at least one context consumer. (Pg.5; 0098)

As per claim 32, Nykanen teaches:

A communications system according to claim 20, wherein the mobile station comprises a communication manager capable of managing connectivity with the at least one context producer for the exchange of context-related information, and wherein the communication manager is further capable of abstracting at least one communication technology such that the mobile station is capable of operating independent of the at least one communication technology. (Pg.10; 0153)

As per claim 33, Nykanen teaches:

A communications system according to claim 20, wherein the mobile station is capable of transmitting at least a portion of the context-related information to the at least one context consumer external to the mobile station such that the at least one context consumer is capable of

determining a context of the mobile station based upon the transmitted portion of the context-related information. (Pg.9; 0133)

As per claim 34, Nykanen teaches:

A communications system according to claim 20, wherein the mobile station is capable of communicating with at least one external device according to a context exchange protocol that defines a format in which the context-related information is at least one of transmitted and received. (Pg.10; 0154)

As per claim 36, Nykanen teaches:

A communications system according to claim 20, wherein the at least one context rule is also capable of including at least one action to be performed when the respective portion of the at least one condition is satisfied. (Pg.8; 0124, Pg.7; 0117-0118)

As per claim 37, Nykanen teaches:

A communications system according to claim 36, wherein a context consumer comprises an application for monitoring a health of a user of the mobile station, wherein at least one context rule relates to the health of the user, and wherein the respective at least one context rule comprises at least a portion of at least one condition relating to the health of the user, and an alert to be issued when the respective portion of the at least one condition is satisfied. (Pg.7; 0115, 0117)

As per claim 38, Nykanen teaches:

A communications system according to claim 20, wherein the mobile station comprises at least one application program interface capable of facilitating at least one of the transmission and reception of context-related information. (Pg.10; 0154)

As per claim 39, Nykanen teaches:

A communications system according to claim 20 further comprising: at least one electronic device capable of communicating with the mobile station, wherein the at least one electronic device comprises a context engine capable of storing at least a portion of the context-related information stored by the mobile station. (Pg.8; 0124-0125)

As per claim 40, Nykanen teaches:

A method of managing context-related information with a mobile station, (Abstract, Pg.1; 0007, Pg.7; 0119) wherein the method comprises:

Measuring at least a portion of at least one condition; storing context-related information based upon the portion of the at least one condition; (Pg.8; 0124-0127) and

Managing an exchange of the context-related information with at least one context consumer, wherein managing the exchange comprises: receiving a request for at least a portion of the context-related information from a context consumer; (Pg.8; 0128-0130)

Determining whether to grant permission for the context consumer to receive the requested portion of the context-related information; and transmitting the requested portion of the context-related information when permission is granted. (Pg.5; 0098)

Wherein managing an exchange of the context-related information further comprises: executing at least one context rule relating to at least a portion of the context-related information, wherein the at least one context rule is capable of comprising at least a portion of at least one condition, and wherein executing at least one context rule comprises executing at least one context rule when the respective portion of the at least one condition is satisfied. (Pg.5; 0093, Pg.8; 0132, Pg.10; 0154, Pg.2; 0021)

As per claim 41, Nykanen teaches:

A method according to claim 40, wherein managing an exchange of the context-related information further comprises: providing at least one subscription to at least a portion of the context-related information to the at least one context consumer. (140; Fig. 2A, Pg.8; 0124)

As per claim 42, Nykanen teaches:

A method according to claim 40, wherein storing context-related information comprises storing context-related information as at least one context atom that comprises at least a name and an associated value. (Pg.8; 0125)

As per claim 43, Nykanen teaches:

A method according to claim 42, wherein storing context-related information comprises storing context-related information as at least one context atom that further comprises at least one of a timestamp, a source identifier, a reliability of the respective value, and an accuracy of the respective value. (Pg.8; 0132)

As per claim 44, Nykanen teaches:

A method according to claim 43, wherein at least a portion-of the context-related information is based upon at least one of a timestamp, a source identifier, a reliability of the respective value, and an accuracy of the respective value. (Pg.8; 0132)

As per claim 45, Nykanen teaches:

A method according to claim 40, wherein measuring at least a portion of at least one condition comprises measuring at least a portion of at least one condition by at least one context producer comprising at least one of an application internal to the mobile station, an application external to the mobile station and a user of the mobile station. (Pg.7; 0117-0118, Pg.8; 0131)

As per claim 46, Nykanen teaches:

A method according to claim 40, wherein measuring at least a portion of at least one condition further comprises processing the portion of the at least one condition into context-related information. (Pg.7; 0117-0118, Pg.8; 0131)

As per claim 47, Nykanen teaches:

A method according to claim 40, wherein determining whether to grant permission comprises determining whether to grant permission in accordance with at least one rule. (Pg.5; 0098)

As per claim 48, Nykanen teaches:

A method according to claim 40, wherein transmitting the requested portion of the context-related information comprises transmitting the requested portion of the context-related information to at least one context consumer external to the mobile station such that the at least one context consumer is capable of determining a context of the mobile station based upon the transmitted portion of the context-related information. (Pg.9; 0133)

As per claim 50, Nykanen teaches:

A method according to claim 40, wherein the at least one context rule is also capable of including at least one action to be performed when the respective portion of the at least one condition is satisfied. (Pg.7; 0117-0118, Pg.8; 0131)

As per claim 51, Nykanen teaches:

A method according to claim 50, wherein a context consumer comprises an application for monitoring a health of a user of the mobile station, wherein at least one context rule relates to the health of the user, and wherein the respective at least one context rule comprises at least a portion of at least one condition relating to the health of the user, and an alert to be issued when the respective portion of the at least one condition is satisfied. (Pg.7; 0117-0118, Pg.8; 0131)

As per claim 52, Nykanen teaches:

A computer program (Pg.5; 0097) product for managing context-related information, the computer program product comprising at least one computer-readable storage medium having computer-readable program code portions stored therein, the computer-readable program code portions (Abstract, Pg.1; 0007, Pg.7; 0119) comprising:

A first executable portion for receiving a measurement of at least a portion of at least one condition; (Pg.8; 0124-0127)

A second executable portion for storing context-related information based upon the portion of the at least one condition; (Pg.8; 0128-0130) and

A third executable portion for managing an exchange of the context-related information with at least one context consumer, wherein the third executable portion is adapted to receive a request for at least a portion of the context-related information from a context consumer, determine whether to grant permission for the context consumer to receive the requested portion of the context-related information, and when permission is granted, transmit the requested portion of the context-related information. (Pg.5; 0098)

Wherein the third executable portion is further adapted to execute at least one context rule relating to at least a portion of the context-related information, wherein the at least one context rule is capable of including at least a portion of at least one condition, and wherein the third executable portion is adapted to execute at least one context rule when the respective portion of the at least one condition is satisfied. (Pg.5; 0093, Pg.8; 0132, Pg.10; 0154, Pg.2; 0021)

As per claim 53, Nykanen teaches:

A computer program product according to claim 52, wherein the third executable portion is further adapted to provide at least one subscription to at least a portion of the context-related information to the at least one context consumer. (140; Fig. 2A, Pg.8; 0124)

As per claim 54, Nykanen teaches:

A computer program product according to claim 52, wherein the second executable portion is adapted to store context-related information as at least one context atom that comprises at least a name and an associated value. (Pg.8; 0125)

As per claim 55, Nykanen teaches:

A computer program product according to claim 54, wherein the second executable portion is adapted to store context-related information as at least one context atom that further comprises at least one of a timestamp, a source identifier, a reliability of the respective value, and an accuracy of the respective value. (Pg.8; 0132)

As per claim 56, Nykanen teaches:

A computer program product according to claim 55, wherein at least a portion of the context-related information is based upon at least one of a timestamp, a source identifier, a reliability of the respective value, and an accuracy of the respective value. (Pg.8; 0132)

As per claim 57, Nykanen teaches:

A computer program product according to claim 52, wherein the first executable portion is further adapted to process the portion of the at least one condition into context-related information. (Pg.7; 0117-0118, Pg.8; 0131)

As per claim 58, Nykanen teaches:

A computer program product according to claim 52, wherein the third executable portion is adapted to determine whether to grant permission in accordance with at least one rule. (Pg.5; 0098)

As per claim 59, Nykanen teaches:

A computer program product according to claim 52, wherein the third executable portion is adapted to transmit the requested portion of the context-related information to at least one context consumer external to the mobile station such that the at least one context consumer is capable of determining a context of the mobile station based upon the transmitted portion of the context-related information. (Pg.9; 0133)

As per claim 61, Nykanen teaches:

A computer program product according to claim 52, wherein the at least one context rule is also capable of including at least one action to be performed when the respective portion of the at least one condition is satisfied. (Pg.7; 0117-0118, Pg.8; 0131)

As per claim 62, Nykanen teaches:

A computer program product according to claim 61, wherein a context consumer comprises an application for monitoring a health of a user of the mobile station, wherein at least one context rule relates to the health of the user, and wherein the respective at least one context rule comprises at least a portion of at least one condition relating to the health of the user, and an alert to be issued when the respective portion of the at least one condition is satisfied. (Pg.7; 0117-0118, Pg.8; 0131)

Response to Amendments & Arguments

V. ***Applicant's arguments filed on 03/29/2006 have been fully considered but they are not persuasive.***

In response to Applicant's argument that Nykanen doesn't teach, "the script engine is capable of executing at least one context rule when the respective portion of the at least one condition is satisfied." it is noted that Nykanen supports the assertion as, the Java servlet takes a request as input, parses the data, performs logic operations, and ***issues a response back to WAP protocol gateway*** 120. The ***Java runtime platform pools the Java servlets to simultaneously service many requests***. Network interface 420 accepts request messages from WAP protocol gateway 120 ***and passes the information in the request to visit*** object 428 for further processing. (Please perceive Pg.10; 0154, Pg.5; 0093, Pg.8; 0132, Pg.2; 0021). Consequently,

Nykanen disclosed an engine which execute the application based on user's profile and provide to the user's device. Hence, it is believed that ***Nykanen still teaches the claimed limitations***.

With the intention of that explanation, it is believed and as enlighten above, the refutation are sustained.

Conclusion

VI. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sharad Rampuria whose telephone number is (571) 272-7870. The examiner can normally be reached on M-F. (8:30-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://portal.uspto.gov/external/portal/pair. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or *EBC@uspto.gov*.

Sharad Rampuria
Examiner
Art Unit 2617

GEORGE ENG
SUPERVISORY PATENT EXAMINER